



Attorney Docket Number: 46700-5004-12

PRELIMINARY AMENDMENT IN CONTINUATION APPLICATION

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12-7-01
PATENT
ATTORNEY DOCKET NO.: 046700-5004-12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Marc ALAIA et al.

Application No.: 09/828,731

Filed: April 9, 2001

For: METHOD AND SYSTEM FOR
CONTROLLING THE INITIATION
AND DURATION OF OVERTIME
INTERVALS IN ELECTRONIC
AUCTIONS (as amended)

Group Art Unit: 2161

Examiner: Unassigned

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DEC 13 2001

Technology Center 2100

PRELIMINARY AMENDMENT IN CONTINUATION APPLICATION
TRANSMITTAL FORM

Commissioner for Patents
Washington, D.C. 20231

Sir:

1. Transmitted herewith is a Preliminary Amendment in Continuation Application.
2. Additional papers enclosed:

- ☐ Drawings: ☐ Formal ☐ Informal (Correction)
☐ Information Disclosure Statement
☐ Form PTO-1449, _____ references included
☐ Citations

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 920.00	\$ 460.00
<input type="checkbox"/> four months	\$ 1,440.00	\$ 720.00

Extension of time fee due with this request: \$ _____

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for ___ months has already been secured and the fee paid therefor of _____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	49	minus	20	29	x \$18 each =	+ \$ 522.00
Independent Claims (37 C.F.R. §1.16(b))	5	minus	3	2	x \$84 each =	+ \$ 168.00
[] First presentation of Multiple dependent claim(s)					\$270.00	+ \$ 0.00
SUB-TOTAL =						\$ 690.00
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$ 690.00

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ Check in the amount of \$690.00 for extra claims fee. The Commissioner is hereby authorized to charge any additional extension of time fee due to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

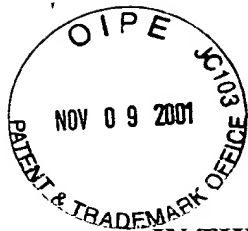
Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLPDated: November 9, 2001By: 

Abhijit Parikh

Registration No. P-49,086

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PATENT APPLICATION

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Group Art Unit: 2161
In re application of: Marc ALAIA et al.
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For: "METHOD AND SYSTEM FOR CONTROLLING THE
INITIATION AND DURATION OF OVERTIME
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Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

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"Express Mail" label number ET861545017US
Date of Deposit November 9, 2001

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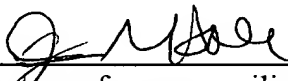
I hereby state the following papers are attached hereto:

Express Mail Certificate (1 page); Preliminary Amendment in Continuation Application Transmittal Form (3 pages); Preliminary Amendment in Continuation Application (14 pages); and Check No. 3485 in the amount of \$690.00

which are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above and is addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

Judith R. Hall

Typed or printed name of person mailing paper



Signature of person mailing paper